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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9
10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 MARIO CASTRO,
14 Defendant.

Case No. 2:19-cr-00295-GMN-NJK

**THIRD STIPULATION TO MODIFY
CONDITIONS OF RELEASE**

15 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
16 Acting United States Attorney, and Department of Justice Trial Attorney Timothy T. Finley,
17 and Rene L. Valladares, Federal Public Defender, and Brian Pugh, Assistant Federal Public
18 Defender, counsel for Mario Castro, that Mr. Castro's conditions of release be modified to allow
19 him to travel to Houston, Texas on one occasion to pick up a truck he recently purchased.
20

21 This Stipulation is entered into for the following reasons:

22 1. On August 18, 2020, the parties stipulated to Mario Castro's temporary pretrial
release based, in part, on Mr. Castro's health condition and the transmission of COVID-19 at
23 the Nevada Southern Detention Center. ECF No. 134. The parties proposed several conditions
24 for Mr. Castro's release. *Id.*

25 2. On August 26, 2020, the Court held a hearing and released Mr. Castro on
26 conditions. ECF No. 137. One of the conditions of Mr. Castro's release requires him to

maintain employment. ECF 141 at 5. Mr. Castro maintained employment, but his employment is not fulltime and his wage is insufficient to support his family.

3. On October 14, 2021, this Court modified Mr. Castro's conditions of release to expand his travel restriction to include the states of Nevada and California. ECF No. 225. The Court did this to allow Mr. Castro to become employed full time as a truck driver transporting vegetables from Southern California to Las Vegas for his current employer. This would allow Mr. Castro to earn significantly more than his current wage and make it possible for him to support his family.

4. Mr. Castro recently purchased a truck to transport vegetables between California and Nevada and requests permission for a one-time trip to Houston, Texas to pick it up.

5. Since the Court granted this modification, Mr. Castro has begun his truck driver's training. He has a permit to drive trucks and only lacks his driving skills test to obtain a commercial driver's license. The permit will allow Mr. Castro to drive the truck from Houston to Nevada with another licensed truck driver. Mr. Castro's son-in-law, a commercial truck driver, will accompany Mr. Castro on the trip to and from Houston, thereby permitting Mr. Castro to drive the truck and practice his driving skills before taking the skills test.

6. Undersigned counsel contacted Mr. Castro's supervising pretrial services officer, Officer McKillip, who has no objection to Mr. Castro's request. The government also does not oppose this request.

7. Mr. Castro will inform his pretrial services officer of his itinerary before traveling to and from Houston to pick up his truck.

DATED this 23rd day of November 2021.

RENE L. VALLADARES
Federal Public Defender

By /s/ Brian Pugh

BRIAN PUGH
Assistant Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

By /s/ *Timothy T. Finley*

TIMOTHY T. FINLEY
U.S. Department of Justice

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
MARIO CASTRO,
Defendant.

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ORDER

Pending before the Court is the parties' third stipulation to modify conditions of pretrial release. The parties ask the Court to modify Defendant's pretrial release conditions to allow him one-time travel to Houston, Texas for him to pick up a truck he recently purchased for his career. Mr. Castro will provide his pretrial services officer with his itinerary before traveling to Houston, Texas. The parties submit that Defendant's Pretrial Services Officer does not object to this request.

IT IS ORDERED that the parties' stipulation is hereby GRANTED.

DATED this 23rd day of November 2021.


UNITED STATES MAGISTRATE JUDGE